

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling, determined that the area or areas hereinafter described within the City of Boston constitute a substandard and decadent area as defined in section 26J of the Housing Authority Law, and further determined in accordance with sections 26KK and 26ZZ of said Law and all other powers granted by said Chapter 121 that a project for the assembly and renewal of said area, hereinafter called the "Downtown Waterfront-Faneuil Hall Project Area," described in Annex A, "ought to be undertaken in said City; and

WHEREAS, on April 24, 1964, the Redevelopment Authority approved and adopted an Urban Renewal Plan, as defined in said section 121, for the renewal of said area, said plan being entitled, "Downtown Waterfront-Faneuil Hall Urban Renewal Plan"; and

WHEREAS, the Authority acting as the Planning Board of said City, the City Council of said City and the Department of Commerce and Development, Division of Urban Renewal, have severally approved said Renewal Plan and project and made appropriate findings in connection therewith, all in accordance with the provisions of law; and

WHEREAS, the City of Boston and said Redevelopment Authority have entered into an agreement, dated June 24, 1961, and entitled, "Cooperation Agreement," providing among other things for a contribution by said City in connection with the carrying out and completion of said Urban Renewal Plan; and

WHEREAS, public hearings on said Urban Renewal Plan and Downtown Waterfront-Faneuil Hall Project have been held, after due notice, including public hearings by the said Redevelopment Authority; and

WHEREAS, the Boston Redevelopment Authority, with the written approval of the Mayor of the City of Boston and the State Housing Board, has entered into a Loan and Grant Contract, dated January 18, 1965, with the Housing and Home Finance Agency under Title I of the Housing Act of 1949, as amended, providing for Federal financial assistance in connection with the carrying out and execution of said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of said area, as hereinafter described, is necessary and reasonably required to carry out the purposes of the Housing Authority Law and said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of section 26P, subparagraph (b), of said Housing Authority Law had deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, section 40.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing, of section 26P, sub-

paragraph (b), of General Laws (Ter. Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every other power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee to the center of any and all public streets, highways and public ways, contiguous and adjacent to said area or areas, except any and all easements of travel in and to any and all public streets, highways, and public ways in said area or areas or contiguous and adjacent thereto, being bounded and described in Annex B attached hereto and made a part hereof as though incorporated herein in full and being shown on a plan drawn by Whitman & Howard, Inc., Engineers, Boston, Massachusetts, which sheets are respectively entitled, "Property Line Map, Downtown Waterfront-Faneuil Hall Area, Mass. R-77, Plans Nos. P-1, P-2, P-3, P-4 and P-5."

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in "Annex B" and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds and the Land Registration Section in Boston, Massachusetts.

DATED: SEP 15 1966 BOSTON REDEVELOPMENT AUTHORITY

By: Francis J. Lally
Stephen E. McCloskey
James G. Colbert
George P. Condakes

Kenneth J. Quinn
Secretary of the Boston Redevelopment Authority

ANNEX A

DOWNTOWN WATERFRONT FANEUIL HALL URBAN
RENEWAL AREA

PROJECT AREA DESCRIPTION

The Downtown Waterfront Faneuil Hall Urban Renewal Area is bounded and described as follows:

Beginning at the intersection of the westerly U.S. Pierhead Line of the Fort Point Channel and the Southwesterly sideline of Northern Avenue Bridge and running northwesterly by the southwesterly sideline of Northern Avenue Bridge and of Northern Avenue and of Northern Avenue extended to the northwesterly sideline of the Fitzgerald Expressway;

thence turning and running northeasterly, northerly and northwesterly by the northwesterly, westerly and southwesterly sidelines of the Fitzgerald Expressway to the southwesterly sideline of Well Street;

thence turning and running northwesterly by the southwesterly sideline of Well Street to the northwesterly sideline of Custom House Street;

thence turning and running northeasterly by the northwesterly sideline of Custom House Street to the southwesterly property line extended of 37 India Street, thence turning and running northwesterly by the southwesterly property line extended and the southwesterly property line of 37 India Street to the northwesterly property line of 37 India Street, thence turning and running northeasterly by the northwesterly property line of 37 India Street and the northwesterly property line extended to the southwesterly sideline of India Street;

thence turning and running northwesterly by the southwesterly sideline of India Street to the southeasterly sideline of State Street;

thence turning and running westerly by the southeasterly sideline of State Street to the easterly sideline of Change Avenue extended;

thence turning and running northerly along the extended easterly sideline and the easterly sideline of Change Avenue to the northerly property line of the property known as 60 State Street;

thence turning and running in an easterly direction by various courses and distances along the northerly property line of said 60 State Street and continuing easterly along the northerly property line of the property known as 80 State Street and the last said property line extended in an easterly direction to the easterly sideline of Merchants Row;

thence turning and running northerly along the extended easterly sideline of Merchants Row to the southerly property line of the property known as 1 South Market Street, which is also the northerly sideline of Chatham Street;

thence turning and running westerly along the southerly property line of said 1 South Market Street to the easterly sideline of Merchants Row;

thence turning and running westerly along the southerly property line of said 1 South Market Street to the easterly sideline of Merchants Row;

thence turning and running northerly along the westerly property line of said 1 South Market Street, which is also the easterly sideline and extended easterly sideline of Merchants Row, to an intersection with the extended southerly property line of the property known as Faneuil Hall;

thence turning and running westerly by the southerly property line of Faneuil Hall extended and by the southerly property line of Faneuil Hall to the westerly property line of Faneuil Hall;

thence turning and running northerly by the westerly property line of Faneuil Hall and the westerly property line of Faneuil Hall extended to the northwesterly sideline of North Street;

thence turning and running in a southwesterly direction by the northwesterly sideline of North Street to the easterly sideline of Union Street;

paragraph (b), of General Laws (Ter. Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every other power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee to the center of any and all public streets, highways and public ways, contiguous and adjacent to said area or areas, except any and all easements of travel in and to any and all public streets, highways, and public ways in said area or areas or contiguous and adjacent thereto, being bounded and described in Annex B attached hereto and made a part hereof as though incorporated herein in full and being shown on a plan drawn by Whitman & Howard, Inc., Engineers, Boston, Massachusetts, which sheets are respectively entitled, "Property Line Map, Downtown Waterfront-Faneuil Hall Area, Mass. R-77, Plans Nos. P-1, P-2, P-3, P-4 and P-5."

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in "Annex B" and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor

thence turning and running southeasterly by the southwesterly property line of the U.S. Coast Guard Base to the southeasterly property line of the U.S. Coast Guard Base;

thence turning and running northeasterly by the southeasterly property line of the U.S. Coast Guard Base and by such southeasterly property line extended to the U.S. Pierhead Line;

thence turning and running southeasterly and southerly by the U.S. Pierhead Line to the point where said Pierhead Line swings from a southerly to a southwesterly direction;

thence turning and running southwesterly in a straight line to the point of beginning.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

DOWNTOWN WATERFRONT FANEUIL HALL
URBAN RENEWAL AREA

The following parcel of land is the only parcel taken by
this Order of Taking:

<u>Plan</u>	<u>Block</u>	<u>Parcel</u>
P-2	209B	7

SUPPOSED OWNERS

The supposed owner of the parcel of land hereby taken is as
follows:

<u>Parcel</u>	<u>Street Address</u>	<u>Supposed Owner</u>
209B-7	251-259 Atlantic Ave.	Business Realty, Inc.

The name of the owner herein listed as supposed owner, although
supposed to be correct, is such only as matter of information, opinion
and belief and is listed for informational purposes only.

END

- NOTE:
- 1) Plan Nos. P-1, P-2, P-3 and P-4 are recorded at
Suffolk Registry of Deeds, Book 7929, page 440.
 - 2) Plan No. P-5 is recorded at Suffolk Registry of Deeds,
Book 7956, page 647.

ANNEX C

BOSTON REDEVELOPMENT AUTHORITY

DOWNTOWN WATERFRONT FANEUIL HALL
URBAN RENEWAL AREA

AWARD OF DAMAGES

Award for ORDER OF TAKING dated is
as follows:

<u>Block</u>	<u>Parcel</u>	<u>Damages Awarded</u>
209B	7	\$ 200,000